

Exhibit B

From: [Jennifer Johnson](#)
To: [Michael Cannata](#)
Cc: [Emmett Collazo](#); [Jay DiMarino](#); [Steve Smirti](#)
Subject: RE: SV v. CSD - search terms
Date: Friday, April 17, 2015 12:01:58 PM

Mike and Steve, I agree with and confirm that the list below is the final list of search terms that Smart Vent will apply to its document collection, including the revisions/additions of "youtube and crawlspace" and "video and crawlspace".
 Thanks.

Jen

From: Michael Cannata [mailto:Michael.Cannata@rivkin.com]
Sent: Monday, April 13, 2015 11:38 AM
To: Jennifer Johnson
Cc: Emmett Collazo; Jay DiMarino; Steve Smirti
Subject: RE: SV v. CSD - search terms

Jennifer - -

Thank you for providing the updated list. In reviewing our prior e-mails regarding search terms, including the comments contained in your April 8, 2015 e-mail (4:48pm), since we are using "crawl space" as a standalone search term, that standalone search term will likely locate the same documents as: (1) Youtube and "crawl space"; and (2) Video and "crawl space". To avoid duplication, and to ensure a complete production, we propose deleting these two search terms [(Youtube and "crawl space") and (Video and "crawl space")] and replacing those two search terms with the single term "crawlspace". With that revision, the final list of search terms that Smart Vent would apply to its documents appears below:

"evaluation report*" w/25 "smart vent"
 "federal emergency" w/5 accept*
 "federal emergency" w/5 compli*
 "federal emergency" w/5 re*
 "hydrostatic pressure"
 "smart vent" w/25 (Carolina w/5 flood)
 "smart vent" w/25 trademark*
 "smart vent" w/25 architect* w/25 test*
 "smart vent" w/25 patent*
 134 w/25 regist
 "60.3"
 "crawl space"
 Crawl w/5 doors
 Tb-1
 "tb 1"
 Tb1*
 CSD
 Fals* w/5 advert*
 Fema w/5 accept* and only
 Fema w/5 compli*
 Fema w/5 regulation*
 Fema w/5 relevan*
 Fema w/5 require*
 Keyword w/25 *tag*

Mark w/25 descrip*
 Mark w/25 generic*
 Net w/5 area
 Nunes
 Reichard
 Remove and video
 Sunvent
 Trademark* w/25 *tag*
 crawlspace
 Remove and youtube
 "take down"
 (Fema w/5 accept*) w/25 (test* or process* or procedure* or protocol* or exam*)
 "smart vent" w/25 ("metatag" or "meta-tag")
 "smart vent" w/25 (*tag* w/25 (web* or blog* or journal*))
 (Vent* w/5 market*) and compet*

Assuming that the foregoing is acceptable, please proceed with the search terms as outlined above using the agreed upon date range - - January 1, 2009 through and including the date of collection. In addition, Smart Vent previously confirmed the search terms that Crawl Space will apply to Crawl Space's documents (*see* your e-mail dated April 8, 2015 (1:43pm), "[w]e confirm that Crawl Space may proceed using the list of search terms you sent in your April 3rd e-mail to Emmett."). For convenience, the April 3rd e-mail set forth the following search terms:

Final Search Terms

(95 or 105 or 106 or 128 or 230 or 205) and (vent or gate or open*)
 (Vent or gate or opening) and (analy* or inches or measur*)
 (vent or gate or opening) and cover* and SQ*
 (Vent or gate or opening) and manufact*
 (vent or gate or opening) and servic* and (sq* or si)
 (vent or model or gate or opening) and (test* or analy* or review or eval*) and open*
 (William@williamsykeslaw.com OR billy@williamsykeslaw.com OR billy@crawlspace.com)
 AND (p.e. OR PE)
 Reichard
 blown out
 Calculat* and open*
 certif* and (*NFIP* or Flood Insurance)
 Certif* and (FEMA or "Federal Emergency Management Agency") and (vent or gate or open*)
 Certificat* and (p.e. or pe or professional engineer)
 coeff* w/25 discharge
 Compli* and (FEMA or Federal Emergency Management Agency) and (vent or gate or open*)
 Compli* and (FEMA or Federal Emergency Management Agency) and (vent or gate or open*)
 compli* w/50 (*NFIP* or Flood Insurance or TB or *ASCE* or 60.3)
 Flood Solution*
 flow rate
 Georg
 Hydrostatic
 Measur* and open*
 net w/10 (open* or air)
 net w/5 area

reichard@bldgsci.com

short tube

Smart Vent or SV

Thanks, Mike



Michael C. Cannata

926 RXR Plaza, Uniondale, NY 11556-0926

D 516.357.3233 T 516.357.3000 F 516.357.3333

michael.cannata@rivkin.com



Please do not print this email unless it is necessary.

From: Jennifer Johnson [<mailto:jjohnson@dimarinolaw.com>]

Sent: Monday, April 13, 2015 9:17 AM

To: Michael Cannata

Cc: Emmett Collazo; Jay DiMarino; Steve Smirti

Subject: RE: SV v. CSD - search terms

I have updated our list to include your comments. It is as follows:

"evaluation report*" w/25 "smart vent"

"federal emergency" w/5 accept*

"federal emergency" w/5 compli*

"federal emergency" w/5 re*

"hydrostatic pressure"

"smart vent" w/25 (Carolina w/5 flood)

"smart vent" w/25 trademark*

"smart vent" w/25 architect* w/25 test*

"smart vent" w/25 patent*

134 w/25 regist

"60.3"

"crawl space"

Crawl w/5 doors

Tb-1

"tb 1"

Tb1*

CSD

Fals* w/5 advert*

Fema w/5 accept* and only

Fema w/5 compli*

Fema w/5 regulation*

Fema w/5 relevan*

Fema w/5 require*

Keyword w/25 *tag*

Mark w/25 descrip*

Mark w/25 generic*

Net w/5 area

Nunes

Reichard

Remove and video

Sunvent
Trademark* w/25 *tag*
Youtube and "crawl space"
Video and "crawl space"
Remove and youtube
"take down"
(Fema w/5 accept*) w/25 (test* or process* or procedure* or protocol* or exam*)
"smart vent" w/25 ("metatag" or "meta-tag")
"smart vent" w/25 (*tag* w/25 (web* or blog* or journal*))
(Vent* w/5 market*) and compet*

Please confirm this is now correct. Also, please send us the final list of search terms Crawl Space will be using to review its documents.

Thanks,

Jen

From: Michael Cannata [<mailto:Michael.Cannata@rivkin.com>]
Sent: Friday, April 10, 2015 4:07 PM
To: Jennifer Johnson
Cc: Emmett Collazo; Jay DiMarino; Steve Smirti
Subject: RE: SV v. CSD - search terms

Jennifer - -

Thank you for providing the below list. I reviewed that list and have the following comments:

- The following search term is not in the list - - remove and video [see my e-mail dated 3/26]
- The following search term is not on the list - - *mark* w/25 descrip* [see my e-mail dated 3/17]
- Tb 1* - - no space between the "b" and the "1" such that the complete search term appears as - - Tb1* [see my e-mail dated 3/26]
- Video and "crawlspace" - - insert space between "crawl" and space" such that the complete search term appears as - - Video and "crawl space" [see my e-mail dated 3/26]
- 134 w/25 regist* - - insert "*" prior to the "134" such that the complete search term appears as - - *134 w/25 regist* [see my e-mail dated 3/17]
- Mark* w/25 generic* - - insert "*" prior to "Mark*" such that the complete search term appears as - - *Mark* w/25 generic* [see my e-mail dated 3/17]

If after reviewing our prior exchanges you disagree with my comments, or if I overlooked something, please let me know. Otherwise, Crawl Space confirms that the below list, as amended by the above comments, is complete.

Thanks and have a good weekend - -

Mike



Michael C. Cannata

926 RXR Plaza, Uniondale, NY 11556-0926

D 516.357.3233 T 516.357.3000 F 516.357.3333

michael.cannata@rivkin.com



Please do not print this email unless it is necessary.

From: Jennifer Johnson [<mailto:jjohnson@dimarinolaw.com>]

Sent: Friday, April 10, 2015 2:39 PM

To: Michael Cannata

Cc: Emmett Collazo; Jay DiMarino; Steve Smirti

Subject: RE: SV v. CSD - search terms

The list is as follows:

"evaluation report*" w/25 "smart vent"

"federal emergency" w/5 accept*

"federal emergency" w/5 compli*

"federal emergency" w/5 re*

"hydrostatic pressure"

"smart vent" w/25 (Carolina w/5 flood)

"smart vent" w/25 trademark*

"smart vent" w/25 architect* w/25 test*

"smart vent" w/25 patent*

134 w/25 regist*

"60.3"

"crawl space"

Crawl w/5 doors

Tb-1

"tb 1"

Tb 1*

CSD

Fals* w/5 advert*

Fema w/5 accept* and only

Fema w/5 compli*

Fema w/5 regulation*

Fema w/5 relevan*

Fema w/5 require*

Keyword w/25 *tag*

Mark* w/25 generic*

Net w/5 area

Nunes
Reichard
Sunvent
Trademark* w/25 *tag*
Youtube and "crawl space"
Video and "crawlspace"
Remove and youtube
"take down"
(Fema w/5 accept*) w/25 (test* or process* or procedure* or protocol* or exam*)
"smart vent" w/25 ("metatag" or "meta-tag")
"smart vent" w/25 (*tag* w/25 (web* or blog* or journal*))
(Vent* w/5 market*) and compet*

Thanks,

Jen

From: Michael Cannata [<mailto:Michael.Cannata@rivkin.com>]
Sent: Friday, April 10, 2015 2:08 PM
To: Jennifer Johnson
Cc: Emmett Collazo; Jay DiMarino; Steve Smirti
Subject: RE: SV v. CSD - search terms

Jennifer - -

It appears that we are in agreement on the search terms. Can you please provide a complete, final, list of all search terms that will be applied by Smart Vent so that we may confirm this agreement?

Thanks, Mike



Michael C. Cannata
926 RXR Plaza, Uniondale, NY 11556-0926
D 516.357.3233 T 516.357.3000 F 516.357.3333
michael.cannata@rivkin.com



Please do not print this email unless it is necessary.

From: Jennifer Johnson [<mailto:jjohnson@dimarinolaw.com>]
Sent: Friday, April 10, 2015 2:00 PM
To: Michael Cannata
Cc: Emmett Collazo; Jay DiMarino; Steve Smirti
Subject: RE: SV v. CSD - search terms

Mike, (vent* w/5 market*) and compet* is acceptable to us. I believe we are now in agreement on all the search terms. Please confirm this.

Thanks.

Jen

From: Michael Cannata [<mailto:Michael.Cannata@rivkin.com>]
Sent: Wednesday, April 08, 2015 7:39 PM
To: Jennifer Johnson
Cc: Emmett Collazo; Jay DiMarino; Steve Smirti
Subject: RE: SV v. CSD - search terms

Jennifer - -

Thank you for the response and proposal. In lieu of “smart vent” /10 market*, and consistent with your comments, can we agree on using the term - - ((vent* /5 market*) and compet*)?

Thank you.



Michael C. Cannata
926 RXR Plaza, Uniondale, NY 11556-0926
D 516.357.3233 T 516.357.3000 F 516.357.3333
michael.cannata@rivkin.com



Please do not print this email unless it is necessary.

From: Jennifer Johnson [<mailto:jjohnson@dimarinolaw.com>]
Sent: Wednesday, April 08, 2015 4:48 PM
To: Michael Cannata
Cc: Emmett Collazo; Jay DiMarino; Steve Smirti
Subject: Re: SV v. CSD - search terms

I've been thinking about that. To cull documents that are responsive to your request #39, the term "smart vent" is not relevant. One option would be "flood vent market" and compet*. Something else to consider is that documents which mention Crawl Space (a competitor) will be picked up already by the other agreed upon search terms.

Please let me know if this option is acceptable.

Thank you,

Jen

On Apr 8, 2015, at 4:07 PM, Michael Cannata <Michael.Cannata@rivkin.com> wrote:

Jennifer - -

Thank you for the message. With respect to the final search term “smart vent” /10 market* - - what, if any, limitation would you propose to avoid the approximate 13,000 results?

Thanks, Mike

<image001.jpg>

Michael C. Cannata

926 RXR Plaza, Uniondale, NY 11556-0926

D 516.357.3233 T 516.357.3000 F 516.357.3333

michael.cannata@rivkin.com

<image002.jpg> Please do not print this email unless it is necessary.

From: Jennifer Johnson [<mailto:jjohnson@dimarinolaw.com>]

Sent: Wednesday, April 08, 2015 1:42 PM

To: Michael Cannata; Emmett Collazo

Cc: Jay DiMarino; Steve Smirti

Subject: RE: SV v. CSD - search terms

Mike,

We confirm that Crawl Space may proceed using the list of search terms you sent in your April 3rd e-mail to Emmett.

As for the search terms that Smart Vent will apply to its electronic documents, we accept the additional search terms you proposed in #2 and #3:

2. (1) "FEMA w/5 accept* and only"; and (2) "(FEMA w/5 accept*) /25 (test* or process* or procedure* or protocol* or exam*)"
3. (1) "smart vent" /25 ("metatag" or "meta-tag"); and (2) "smart vent" /25 (*tag* /25 (web* or blog* or journal*))

We cannot agree to your 1. "smart vent" w/10 market*. It yields over 13,000 documents. For example, Brian Shaw is the Director of Sales and **Marketing** for **Smart Vent** Products, Inc. This title is mentioned in most of his e-mails. This produces a collection of documents that is not necessarily responsive to your Document Request No. #39.

We are going to begin reviewing our documents with all the agreed upon search terms.

Thanks,

Jennifer Johnson

From: Michael Cannata [<mailto:Michael.Cannata@rivkin.com>]

Sent: Friday, April 03, 2015 10:40 AM

To: Emmett Collazo

Cc: Jay DiMarino; Steve Smirti; Jennifer Johnson

Subject: SV v. CSD - search terms

Emmett - -

Below is a list of the search terms that Crawl Space will apply to its electronic documents. This list accepts all of Smart Vent's recent proposed revisions. As agreed, we will apply a date range from January 1, 2009 through the date of collection. Please confirm the accuracy of this list so that Crawl Space may proceed:

Final Search Terms

(95 or 105 or 106 or 128 or 230 or 205) and (vent or gate or open*)
(Vent or gate or opening) and (analy* or inches or measur*)
(vent or gate or opening) and cover* and SQ*
(Vent or gate or opening) and manufact*
(vent or gate or opening) and servic* and (sq* or si)
(vent or model or gate or opening) and (test* or analy* or review or eval*) and open*
(William@williamsykeslaw.com OR billy@williamsykeslaw.com OR billy@crawlspace.com)
AND (p.e. OR PE)
Reichard
blown out
Calculat* and open*
certif* and (*NFIP* or Flood Insurance)
Certif* and (FEMA or "Federal Emergency Management Agency") and (vent or gate or open*)
Certificat* and (p.e. or pe or professional engineer)
coeff* w/25 discharge
Compli* and (FEMA or Federal Emergency Management Agency) and (vent or gate or open*)
Compli* and (FEMA or Federal Emergency Management Agency) and (vent or gate or open*)
compli* w/50 (*NFIP* or Flood Insurance or TB or *ASCE* or 60.3)
Flood Solution*
flow rate
Georg
Hydrostatic
Measur* and open*
net w/10 (open* or air)
net w/5 area
reichard@bldgsci.com
short tube
Smart Vent or SV

Separately, with respect to the search terms that Smart Vent will apply to Smart Vent's electronic documents, Crawl Space responds to your points as follows:

1. *See* Document Request No. 39 from Crawl Space's First Set of Document Demands - - "[a]ll documents which relate to the flood vent market including, but not limited to, competition within the market." To resolve any objections connected to this document request, and to limit the number of hits, Crawl Space proposes that "smart vent" w/25 market* be amended as follows: "smart vent" w/10 market*
2. With respect to the search term "FEMA w/5 accept*", Crawl Space proposes use of

the following two search terms: (1) "FEMA w/5 accept* and only"; and (2) "(FEMA w/5 accept*) /25 (test* or process* or procedure* or protocol* or exam*)"

3. With respect to the search term "smart vent" w/25 *tag*, Crawl Space proposes use of the following two search terms: (1) "smart vent" /25 ("metatag" or "meta-tag"); and (2) "smart vent" /25 (*tag* /25 (web* or blog* or journal*))
4. Smart Vent's proposed resolution on the product catalog issue is acceptable.

Thanks, Mike

<image001.jpg>

Michael C. Cannata

926 RXR Plaza, Uniondale, NY 11556-0926

D 516.357.3233 T 516.357.3000 F 516.357.3333

michael.cannata@rivkin.com

<image002.jpg> Please do not print this email unless it is necessary.

From: Emmett Collazo [<mailto:collazo@dimarinolaw.com>]

Sent: Monday, March 30, 2015 3:07 PM

To: Michael Cannata; Steve Smirti

Cc: Jay DiMarino; Sandi Doner; Jennifer Johnson

Subject: FW: SV v. CSD - search terms

Mike –

Thank you for your email.

We look forward to Crawl Space's review of Smart Vent's comments on the search terms.

Regarding the three points below:

1. We understood from our previous call that that Crawl Space was not searching for the word "market" with respect to the search term "*mark*", as proposed earlier. Rather, we learned that the purpose of the search term "*mark*" was for documents having to do with the trademark "SMART VENT". Therefore, this search term "market*", which pulls over 1,000 documents, is unnecessary. If Crawl Space is now saying it does want those documents, please point us in the direction of the document request which states this.
2. Regarding use of the term "FEMA accepted," please understand that many of SV's marketing materials include the term "FEMA accepted." It is Smart Vent's position that a search of documents exploring the reason for marketing products with these terms is unreasonable because there are a very large number of documents that would be returned for the search of "FEMA /5 accepted."
3. Regarding the "*tag*" term, the volume of documents returned is overbroad for "smart vent" w/25 of *tag*. The term "Smart Vent" will be in most documents, and the three letters "tag" will be in terms like advantage, stage (for example, flood stage). We respectfully request another way to restrict this term.

On a separate note, as we reviewed the documents, we have found that RPD #35 (First Set), which specifically asks for "copies of all correspondence or communications with smart vent's customers which reference FEMA compliancy," creates an unreasonable duplication of the same product catalog to

numerous customers and potential customers. Smart Vent will be producing the relevant product catalogs, but not each and every email to a customer where a product catalog is attached.

Emmett

Emmett S. Collazo

A.J. DiMarino, P.C.

41 Grove Street

Haddonfield, NJ 08033

(856) 888-1203

(856) 853-2866 (fax)

www.dimarinolaw.com

The information contained in this e-mail message, together with any attachments thereto, is intended only for the personal and confidential use of the addressee[s] named above. The message and the attachments are or may be an attorney-client or other privileged or protected communication. If you are not the intended recipient of this message, or authorized to receive it for the intended recipient, you have received this message in error. You are not to review, use, disseminate, distribute or copy this message, any attachments thereto, or their contents. If you have received this message in error, please immediately notify us by return e-mail message, and delete the original message. This notice is included in all e-mail messages leaving our firm. Thank you for your cooperation.

IRS Circular 230 DISCLOSURE:

Notice regarding federal tax matters: Internal Revenue Service Circular 230 requires us to state herein that any federal tax advice set forth in this communication (1) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed by federal tax laws, and (2) cannot be used in promoting, marketing, or recommending to another person any transaction or matter addressed herein.

From: Michael Cannata [<mailto:Michael.Cannata@rivkin.com>]

Sent: Friday, March 27, 2015 4:52 PM

To: Emmett Collazo; Jay DiMarino; Jennifer Johnson

Cc: Steve Smirti

Subject: RE: SV v. CSD - search terms

Emmett - -

With respect to the proposed amendments to the search terms that will be applied to Crawl Space's document population, we will review and get back to you.

With respect to Smart Vent's comments to Crawl Space's proposed amendments to the search terms that will be applied to Smart Vent's document population, please note the following:

1. During our telephone call, "smart vent" w/25 market* was a revision proposed by Smart Vent in addition to "smart vent" w/25 trademark*. Both of these search terms, collectively, were to be applied instead of "smart vent" w/25 *mark* - - Can you please explain the basis for now refusing to use "smart vent" w/25 market*?
2. The addition of "only" to "FEMA w/5 accept*" will improperly limit the scope of responsive documents. Recall that one of Crawl Space's claims is that Smart Vent falsely advertises that Smart Vent's products are accepted by

FEMA when FEMA, as underscored by statements on FEMA's website, does not "accept" any products. Whether Smart Vent is the "only" manufacturer to claim acceptance by FEMA misses the point. Responsive documents may not contain the word "only".

3. Smart Vent's refusal to perform the search for "smart vent" w/25 *tag*" presents a serious concern as this search term is critical to discovery relating to Smart Vent's infringement claim. We understand that Smart Vent suggested a limitation by incorporating the term "crawl space" but again, responsive documents on this issue may not contain the words "crawl space."

Crawl Space's preference, of course, is to resolve these issues without the court's intervention. It is for this reason that we provide Smart Vent with the above information. If you believe a call early next week to discuss these points will be helpful, we can arrange for that call. To save our respective client's time and financial resources, it only makes sense that search terms not be applied until all search terms are finalized.

Thanks,

Mike

<image001.jpg>

Michael C. Cannata

926 RXR Plaza, Uniondale, NY 11556-0926

D 516.357.3233 T 516.357.3000 F 516.357.3333

michael.cannata@rivkin.com

<image002.jpg> Please do not print this email unless it is necessary.

From: Emmett Collazo [<mailto:collazo@dimarinolaw.com>]

Sent: Friday, March 27, 2015 3:45 PM

To: Michael Cannata; Steve Smirti

Cc: Jay DiMarino; Sandi Doner; Jennifer Johnson

Subject: FW: SV v. CSD - search terms

Hello, Mike –

Regarding the search of Smart Vent's files, we are going to proceed with the list of 1 through 7 that you had in your email below, with changes in yellow.

The proposed search term "FEMA w/5 accept*" will be changed to "FEMA w/5 accept* and only".

We will not be reviewing "smart vent" w/25 market*", but we will review "smart vent" w/25 trademark*.

We will not perform the search of the term "smart vent" w/25 *tag*.

Regarding the search of Crawl Space's electronic discovery files, below are our changes to the nine terms for revision. The amended version is in yellow.

1. Compli* and (FEMA or "Federal Emergency Management Agency")

Compli* and (FEMA or “Federal Emergency Management Agency”) and (vent or gate or open*)

2. Compli* and (vent or gate or opening)

Compli* and (FEMA or “Federal Emergency Management Agency”) and (vent or gate or open*) (same as above)

3. Certif* and (FEMA or “Federal Emergency Management Agency”)

Certif* and (FEMA or “Federal Emergency Management Agency”) and (vent or gate or open*)

4. Net and open*

Net w/10 open*

Net w/10 air*

5. (vent or gate or opening) and (analy* or inches or measur*)

[No change.]

6. (vent or model or gate or opening) and (test* or analy* or review or eval*)

(vent or model or gate or opening) and (test* or analy* or review or eval*) and open*

7. (vent or gate or opening) and servic*

(vent or gate or opening) and servic* and (sq* or “si”)

8. (vent or gate or opening) and cover*

(vent or gate or opening) and cover* and sq*

9. (95 or 105 or 106 or 128 or 230 or 205) and (Sykes or vent or gate or open*)

(“95” or “105” or “106” or “128” or “230” or “205”) and (vent or gate or open*)

Emmett

Emmett S. Collazo

A.J. DiMarino, P.C.

41 Grove Street

Haddonfield, NJ 08033

(856) 888-1203

(856) 853-2866 (fax)

www.dimarinolaw.com

The information contained in this e-mail message, together with any attachments thereto, is intended only for the personal and confidential use of the addressee[s] named above. The message and the attachments are or may be an attorney-client or other privileged or protected communication. If you are not the intended recipient of this message, or authorized to receive it for the intended recipient, you have received this message in error. You are not to review, use, disseminate, distribute or copy this message, any attachments thereto, or their contents. If you have received this message in error, please immediately notify us by return e-mail message, and delete the original message. This notice is included in all e-mail messages leaving our firm. Thank you for your cooperation.

IRS Circular 230 DISCLOSURE:

Notice regarding federal tax matters: Internal Revenue Service Circular 230 requires us to state herein that any federal tax advice set forth in this communication (1) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed by federal tax laws, and (2) cannot be used in promoting, marketing, or recommending to another person any transaction or matter addressed herein.

From: Michael Cannata [<mailto:Michael.Cannata@rivkin.com>]

Sent: Thursday, March 26, 2015 8:40 PM

To: Emmett Collazo; Steve Smirti

Cc: Jay DiMarino; Jennifer Johnson; Sandi Doner

Subject: RE: SV v. CSD - search terms

Emmett - -

Please proceed with the search terms contained in my e-mail to you dated March 17, 2015 with the below amendments. For convenience, any modifications to the amendments appear in yellow:

1. FEMA w/5 re* to:
FEMA w/5 regulation*
FEMA w/5 relevan*
FEMA w/5 require*
2. Crawl to:
“crawl space”
Crawl w/5 doors
3. TB to:
Tb-1
Tb 1
Tb1*
4. Youtube to:
Youtube and “crawl space”
Video and “crawl space”
Remove and youtube
Remove and video
“take down”
5. FEMA w/5 accept* to:
FEMA w/5 accept*
6. “smart vent” w/25 *mark* to:
“smart vent” w/25 trademark*
“smart vent” w/25 market*
7. “smart vent” w/25 architect* to:
“smart vent” w/25 architect* w/25 test*

We would ask that you please leave the search term “smart vent” w/25 *tag* as is. If any of the foregoing presents an issue, please let me know.

In addition, during our meet and confer, we identified nine (9) search terms in your letter dated March 17, 2015 that required revision. Specifically, these included search terms nos. 3, 5, 6, 9, 14, 18 21, 22, and 27. At the conclusion of our meet and confer, we asked that Smart Vent provide proposed revisions to these nine (9) search terms. To date, Smart Vent has not proposed any revisions to these nine (9) search terms. We too must proceed with our review and, thus, request that Smart Vent provide any proposed revisions as soon as possible and, if possible, by close of business tomorrow. If suggested revisions are not provided, we will limit these terms accordingly and proceed with the review.

Thanks, Mike

[<image001.jpg>](#)

Michael C. Cannata

926 RXR Plaza, Uniondale, NY 11556-0926

D 516.357.3233 T 516.357.3000 F 516.357.3333

michael.cannata@rivkin.com

[<image002.jpg>](#) Please do not print this email unless it is necessary.

From: Emmett Collazo [<mailto:collazo@dimarinolaw.com>]

Sent: Thursday, March 26, 2015 10:47 AM

To: Michael Cannata; Steve Smirti

Cc: Jay DiMarino; Jennifer Johnson; Sandi Doner

Subject: SV v. CSD - search terms

Steve and Mike –

To follow up on our last conversation about search terms, we revised the search terms for the Smart Vent document collection using our suggestions. Specifically we changed:

1. FEMA w/5 re* to:
 - FEMA w/5 regulation*
 - FEMA w/5 relevant
 - FEMA w/5 require*
2. Crawl to:
 - “crawl space”
 - Crawl w/5 doors
3. TB to:
 - Tb-1
 - Tb 1
 - Tb1

We had also suggested “Tb1-08,” but that is redundant with the term “Tb1” above.
4. Youtube to:
 - Youtube and “crawl space”
 - Video and “crawl space”
 - Remove and youtube

Remove and video
"take down"

5. FEMA w/5 accept* to:
FEMA w/5 accept* w/5 only
6. "smart vent" w/25 *mark* to:
"smart vent" w/25 trademark*
7. "smart vent" w/25 architect* to:
"smart vent" w/25 architect* w/25 test*
Geci

You had asked about a calculation of the reduction in terms. By changing the search terms as outlined above, the number of documents we have for review goes from over 55,000 to just under 20,000.

Additionally, we propose one more change.

We propose changing "smart vent" w/25 *tag* TO "smart vent" w/25 *tag* w/25 "crawl space". By adding the "crawl space" restriction, this search will capture all documents in the collection that are responsive to request #33 from your first set of document requests. We are assuming that was the objective of including this search term. If not, please let us know.

We will also conduct a search without limitation as to the above search terms, for documents responsive to the requests, subject to our objections.

While we are happy and obligated to review all documents which may be responsive to your requests, we believe the above tailors the terms to the so the searches yield relevant documents.

If you disagree with the above steps, please be available at 10:30 on Friday morning to discuss next steps. Otherwise, we will plan to move forward so that we can start reviewing for responsiveness as soon as possible.

Thank you,
Emmett

Emmett S. Collazo
A.J. DiMarino, P.C.
41 Grove Street
Haddonfield, NJ 08033

(856) 888-1203
(856) 853-2866 (fax)
www.dimarinolaw.com

The information contained in this e-mail message, together with any attachments thereto, is intended only for the personal and confidential use of the addressee[s] named above. The message and the attachments are or may be an attorney-client or other privileged or protected communication. If you are not the intended recipient of this message, or authorized to receive it for the intended recipient, you have received this message in error. You are not to review, use, disseminate, distribute or copy this message, any attachments thereto, or their contents. If you have received this message in error, please immediately notify us by return e-mail message, and delete the original message. This notice is included in all e-mail messages leaving our firm. Thank you for your cooperation.

IRS Circular 230 DISCLOSURE:

Notice regarding federal tax matters: Internal Revenue Service Circular 230 requires us to state herein that any federal tax advice set forth in this communication (1) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed by federal tax laws, and (2) cannot be used in promoting, marketing, or recommending to another person any transaction or matter addressed herein.

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and

delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

NOTICE: This message may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately and delete this message.
See: <http://www.rivkinradler.com/email-disclaimer.cfm> for further information on confidentiality.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>
